



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SAGINAW BAY DISTRICT OFFICE



C. HEIDI GREETHER  
DIRECTOR

October 21, 2016

Mr. Bruce Weiss  
Pyramid Paving & Contracting  
1010 Adams Street  
Bay City, MI 48708

SRN: B1485, Bay County

Dear Mr. Weiss:

**VIOLATION NOTICE**

On October 13<sup>th</sup> and October 20<sup>th</sup>, 2016, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), responded to several complaints of odors and opacity from Pyramid Paving & Contracting located at 1503 Pine Street, Essexville, Michigan. The purpose of the visit was to investigate recent complaints regarding smoke, foul odors, and asphalt odors attributed to the asphalt production operations.

During the investigation, staff observed the following:

Process Description	Rule/Permit Condition Violated	Comments
Emissions from asphalt production	R 336.1901 Unreasonable interference with the comfortable enjoyment of life and property.	Emissions from stack down washing and impacting residence.
Emissions from asphalt production	R 336.1910 Air cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with these rules and existing law.	Emissions from stack down washing. Need engineering investigation into stack height, flow, velocity etc.

**RULE 901**

In the professional judgment of AQD staff, the odors (smoke, dust fallout, etc.) that were observed were of sufficient intensity, frequency and duration so as to constitute a violation of Rule 901 and General Condition number 8 of PTI number 260-81B.

The AQD staff detected smoke and odors on October 13, 2016, south of the facility, in a residential area at 2003 Woodside and up to one mile downwind of the facility.

The AQD staff detected smoke and odors on October 20, 2016, up to a half a mile south of the facility, in a residential area near the intersection of Pine Street and Essex Street.

**RULE 910: AIR CLEANING DEVICES**

On October 13<sup>th</sup> and October 20<sup>th</sup>, 2016, the AQD staff observed operation of asphalt production while the baghouse stack emissions were down washed to ground level. Further investigation into stack height, flow, velocity, etc. is needed resolve. Design of the system does not appear adequate and therefore is not operated in a satisfactory manner.

This constitutes a violation of Act 451, Rule 910, which requires that an air-cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the administrative rules and existing law.

Please initiate actions necessary to correct the cited violations and submit a written response to this Violation Notice by November 11, 2016 (which coincides with 21 calendar days from the date of this letter). The written response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a recurrence.

If Pyramid Paving believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide appropriate factual information to explain your position.

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to me during my inspection. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Gina L. McCann  
Senior Environmental Quality Analyst  
Air Quality Division  
989-894-6218

cc/via e-mail: Ms. Lynn Fiedler, DEQ  
Ms. Mary Ann Dolehanty, DEQ  
Mr. Chris Ethridge, DEQ  
Mr. Thomas Hess, DEQ  
Mr. Chris Hare, DEQ